

## **REMARKS**

The Applicant respectfully requests reconsideration in view of the following remarks and amendments. Claims 1, 14, 17, and 30 are amended. Accordingly, claims 1-32 are pending in the application.

### **I. Claims Rejected Under 35 U.S.C. § 103**

Claims 1-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent 6,799,208 issued to Sankaranarayanan et al. (hereinafter “Sankaranarayanan”). To establish a *prima facie* case of obviousness the Examiner must show that the cited references, combined, teach or suggest each of the elements of a claim.

Claim 1, among other limitations, recites the limitations of “a child object of a parent object represents a resource consumer of a resource producer associated with the parent object.” The amendment is supported, for example, by paragraph [0015] of the Specification.

Sankaranarayanan fails to teach the cited limitation. Instead, Sankaranarayanan teaches that the resource descriptor tree is organized so that a parent node consumes the resources of a child node, which represents the provider of the resource. See Sankaranarayanan, column 10, lines 21-29. For example, as illustrated in Fig. 2 of Sankaranarayanan, the parent node R<sub>4</sub> (referenced in the first configuration 124(1)) consumes the resources of the provider represented by the child node R<sub>3</sub>. Therefore, the resource descriptor tree is constructed to arrange the *parent nodes as consumers of the resources provided by their respective child nodes*. As a result, Sankaranarayanan fails to teach the limitations of “a child object of a parent object represents a resource consumer of a resource producer associated with the parent object,” as recited in claim 1. Thus, in view of the foregoing reasons, Sankaranarayanan fails to teach each element of claim 1. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1.

In addition, Sankaranarayanan fails to teach the limitations of “determining a net availability of the resource producer associated with the parent object by traversing the tree of relationships and by retrieving consumption information included in each object of the tree of relationships,” as recited in amended claim 1. The amendment is supported, for example, by paragraph [0029] of the Specification. On page 3 and in the response to arguments section of the Office Action, the Examiner alleged that the resource manager iterating through the resource descriptor list teaches determining a net availability of a resource producer. However, for each

resource descriptor in the list, Sankaranarayyan teaches the data field associated with the quantity of resource required (i.e., consumption information) is *opaque to the resource manager* and is only required to be understood *between the provider and consumer*. See Sankaranarayyan, column 9, lines 40-45. As a result, a determination of “a net availability of the resource producer . . . by traversing the tree of relationships and by retrieving consumption information included in each object” cannot be achieved by iterating through the resource descriptor list because the required quantity of resource data of each resource descriptor is opaque to the resource manager. Instead, as mentioned by the Examiner on pages 4 and 6 of the Office Action, the resource manager simply tags the resource descriptor as a ‘victim’ in response to the provider failing to allocate the resource to the consumer. See Sankaranarayyan, column 13, lines 35-41. As a result, this tagging of the resource descriptor indicates that the resource manager cannot discern the “net availability of the resource producer” and cannot “use consumption information included in each object,” but must rely upon the provider to make this determination. Therefore, for at least these reasons, Sankaranarayyan fails to teach the limitations of “determining a net availability of the resource producer associated with the parent object by traversing the tree of relationships and by retrieving consumption information included in each object of the tree of relationships.” Thus, in view of the foregoing reasons, Sankaranarayyan fails to teach each element of claim 1.

Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1.

In regard to claims 2-13, these claims depend from independent claim 1 and incorporate the limitations thereof. Therefore, for the reasons mentioned in connection with claim 1, Sankaranarayyan fails to teach each element of claims 2-13. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 2-13.

In regard to claim 17, this claim, as amended, include analogous limitations to those recited in claim 1. Therefore, for at least the reasons mentioned in connection with claim 1, Sankaranarayyan fails to teach each element of claim 17. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 17.

In regard to claims 14 and 30, these claims, as amended, include analogous limitations to those recited in claim 1. Therefore, for at least the reasons mentioned in connection with claim 1, Sankaranarayyan fails to teach each element of claims 14 and 30. Thus, Sankaranarayyan fails to teach each element of claims 14 and 30. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 14 and 30.

In regards to claims 15, 16, 18-29, 31, and 32, these claims depend from independent claims 14, 17, and 40. Thus, for at least the reasons mentioned in connection with claims 14, 17, and 40, Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 15, 16, 18-29, 31, and 32.

## **CONCLUSION**

In view of the foregoing, it is believed that all claims now pending, namely claims 1-32, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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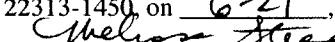


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Melissa Stead 6-21, 2007